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CherylB  
Williams/R10/USEPA/US  
12/20/2005 11:35 AM

To rthomas@jhbaxter.com  
cc Jennifer MacDonald/R10/USEPA/US@EPA, Jan  
Palumbo/R10/USEPA/US@EPA

bcc

Subject SEP Construction Project and Closure Plan

Distribution <rthomas@jhbaxter.com>, Jennifer  
List MacDonald/R10/USEPA/US@EPA, Jan  
Palumbo/R10/USEPA/US@EPA

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RueAnn,

This is a follow-up to a phone message I left for you on November 3, 2004, (I hope you got it?).

First I was inquiring as to the status of the SEP construction. According to the CAFO, construction was to commence 30 days after signing the CAFO (October 30, 2005) and construction is to be completed 90 days after construction began (January 30, 2005). Although the CAFO does not require you to report to me that you had begun construction, I am obligated to track Baxter's compliance with the CAFO and I was calling to make sure that Baxter was on track to meet the CAFO deliverable - a SEP Completion and Expenditure Report, which is due 30 days after the SEP Construction is complete.

Secondly, regarding the closure plan. It was my understanding from one of our last CAFO negotiation conference calls that Baxter was going to incorporate all the changes that we had agreed to into a new closure plan document that could then be put out for public notice and comment. I have checked with Jennifer, and to date neither of us has received a new, final closure plan. Would you please let me know when Baxter plans to submit the plan.

Thanks and Happy Holidays.

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